

AMENDMENT UNDER 37 CFR § 1.111
Serial No. 09/642,108

REMARKS

A total of 114 claims remain in the present application. The foregoing amendments are presented in response to the Office Action mailed October 19, 2004, wherefore reconsideration of this application is requested.

By way of the above-noted amendments, original independent claims 1, and 41 have been amended to incorporate the subject matter of allowable claims 3 and 44 respectively. Claims 3 and 44 have been cancelled in view of the amendments effected in claims 1 and 41, and claims 45 and 51 have been amended to adjust claim dependencies in view of the cancellation of claim 44. Clearly, no new subject matter has been introduced.

In preparing the above-noted amendments, careful attention was paid to ensure that no new subject matter has been introduced.

Referring now to the text of the Office Action:

- a) claims 1, 4, 5, 8, 41, 45, 46, 49, 51, 86, 87 and 90 stand rejected under 35 U.S.C. § 102(b), as being unpatentable over the teaching of United States Patent No. 5,802,068 (Kudo); and
- b) claims 3, 6, 7, 9-40, 44, 47, 48, 50, 52-82, 85, 88, 89 and 91-121 are objected to as being dependent on a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As an initial matter, Applicant appreciates the Examiner's indication of allowable subject matter in claims 3, 6, 7, 9-40, 44, 47, 48, 50, 52-82, 85, 88, 89 and 91-121. The Examiners rejection of claims 1, 4, 5, 8, 41, 45, 46, 49, 51, 86, 87 and 90 under 35 U.S.C. § 102(b) is believed to be traversed by the above-noted claim amendments.

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In particular, independent claims 1 and 41 have been amended to incorporate the subject matter of claims 3 and 44 respectively. Since the Examiner has indicated that claims 3 and 44 define allowable subject matter, it is believed that claims 1 and 41, and their dependencies, are now allowable.

Thus it is believed that the present application is now in condition for allowance, and early action in that respect is courteously solicited.

If any extension of time under 37 C.F.R. § 1.136 is required to obtain entry of this response, such extension is hereby respectfully requested. If there are any fees due under 37 C.F.R. §§ 1.16 or 1.17 which are not enclosed herewith, including any fees required for an extension of time under 37 C.F.R. § 1.136, please charge such fees to our Deposit Account No. 19-5113.

Respectfully submitted,
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